

Practitioner's Docket No.: 961_009

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Merrit N. Jacobs, David D. Hyde and Christopher M. Parobek

Serial No.: 10/005,257

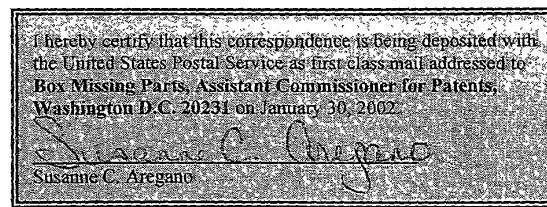
Art Unit: 3746

Filed: December 3, 2001

Examiner: Not Assigned

For: FLUID DISPENSING ALGORITHM FOR A VARIABLE SPEED PUMP DRIVEN
METERING SYSTEM

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231



**COMPLETION OF FILING REQUIREMENTS
— NON-PROVISIONAL APPLICATION**

(check and complete this item, if applicable)

- I. This replies to the Notice to File Missing Parts of Non-Provisional Application mailed January 7, 2002.
- A copy of the Notice to File Missing Parts of Non-Provisional Application—Filing Date Granted is enclosed.

DECLARATION OR OATH

- II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

OTHER PAPERS ENCLOSED

- III. A Preliminary Amendment canceling claims without prejudice or disclaimer
 Assignment with Assignment Transmittal
 7 pages of formal drawings (Figs. 1-9)

**TRANSMITTAL OF ENGLISH TRANSLATION
OF NON-ENGLISH LANGUAGE PAPERS**

- IV. Submitted herewith is an English translation of the non-English language application papers as originally filed. Also submitted herewith is a statement by the translator of the accuracy of the translation. It is requested that this translation be used as the copy for examination purposes in the PTO.

SMALL ENTITY STATUS

V. [] A statement that this filing is by a small entity is attached.

[] A separate refund request accompanies this paper.

[] was filed on _____ (original).

COP
ORIGINALLY FILED

COMPLETION FEES

VI. **WARNING:** Failure to submit the surcharge fees where required will cause the application to become abandoned. 37 C.F.R. 1.53.

NOTE: For effect on fees of failure to establish status, or change status, as a small entity, see 37 C.F.R. 1.28(a).

1. Filing Fee

[] Original Patent Application \$ _____
(37 C.F.R. 1.16(a) --\$740.00; Small Entity--\$370.00)

2. Fees for Claims (Claims; Indep.)

[] each independent claim in excess of 3 \$ _____.00
(37 C.F.R. 1.16(b)--\$84.00; small entity--\$42.00)

[] each claim in excess of 20 \$ _____.00
(37 C.F.R. 1.16(c)--\$18.00; small entity--\$9.00)

[] multiple dependent claim(s) \$ _____.00
(37 C.F.R. 1.16(d)--\$280.00; small entity--\$140.00)

3. Surcharge fees

[] late payment of filing fee \$ _____.00
(37 C.F.R. 1.16(e)--\$130.00; small entity--\$65.00)

and/or

[x] late filing of original declaration or oath \$ _____.00
(37 C.F.R. 1.16(e)--\$130.00; small entity--\$65.00)

NOTE If both the filing fee and declaration or oath were missing from the original papers, only one surcharge fee for both need be paid. 37 C.F.R. 1.16(e).

4. [] Petition and fee for filing by other than all the inventors or \$ _____.00
a person not the inventor
(37 C.F.R. 1.17(i) and 1.47--\$130.00)

5. [] Fee for processing an application filed with a specification \$ _____.00
in a non-English language
(37 C.F.R. 1.17(k) and 1.52(d)--\$130.00)

6. [x] Assignment Fee \$ _____.00

Total Completion Fees \$170.00

EXTENSION OF TIME

VII.

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. 1.136(a) apply.

- (a) [] Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. 1.17(a)(1)-(4), for the total number of months checked below:

Extension (Months)	Fee for other than small entity	Fee for small entity
One Month	\$ 110.00	\$ 55.00
Two Months	\$ 380.00	\$ 190.00
Three Months	\$ 870.00	\$ 435.00

Extension Fee \$ 00.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- [] An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 00.00

OR

- (b) [x] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

VIII.

The total fee due is:	Completion fee(s)	\$ 170.00
	Extension fee (if any)	\$ _____ .00
	Total Fee Due	\$ 170.00

PAYMENT OF FEES

IX.

- [x] Enclosed is a check in the amount of \$170.00.
[] Charge Account No. _____ in the amount of \$_____. A duplicate of this request is attached.

**AUTHORIZATION TO CHARGE ADDITIONAL FEES OR
CREDIT OVERPAYMENT**

- X. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.
- Any additional filing fees required under 37 CFR 1.16.
- Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

Wall, Marjama & Bilinski LLP



Peter J. Bilinski
Reg. No. 35,067

January 30, 2002

Date

PJB/sca
Phone: (315) 425-9000

Customer No.: 

20874

PATENT TRADEMARK OFFICE



UNITED STATES PATENT AND TRADEMARK OFFICE

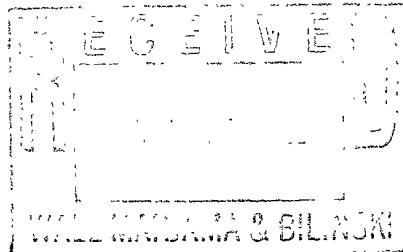
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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20530
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/005,257	12/03/2001	Merrit N. Jacobs	961_009

CONFIRMATION NO. 1338

20874
 WALL MARJAMA & BILINSKI
 101 SOUTH SALINA STREET
 SUITE 400
 SYRACUSE, NY 13202



FORMALITIES LETTER



OC00000007274754

Date Mailed: 01/07/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

[Handwritten signature]
Merrit N. Jacobs

Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY